

PUBLIC MATTER

**THE STATE BAR COURT
HEARING DEPARTMENT - SAN FRANCISCO**

In the Matter of
MAUREEN R. KALLINS,
Member No. 95038,
A Member of the State Bar.

Case No. 97-O-15422-JMR
**ORDER GRANTING, IN PART, AND
DENYING, IN PART, THE MOTION FOR
RECONSIDERATION**

On December 22, 2004, the Office of the Chief Trial Counsel of the State Bar (State Bar), by and through Deputy Trial Counsel Robin B. Haffner, filed a motion for reconsideration of the court's December 7, 2004 decision. In particular, the State Bar requests that the court modify its decision to: (1) Require Respondent Maureen Kallins (Respondent) to pay some amount towards restitution while on probation; (2) Increase the period of stayed suspension from two years stayed to three years stayed; (3) Apply a standard 1.4(c)(ii) condition to the period of stayed suspension; and (4) Recommend restitution be paid to Anthony E. Washington in the amount of \$143.75 plus interest.

On January 13, 2005, Respondent, by and through her attorney Charles Gretsche, filed her opposition to the motion. In particular, Respondent opposes extending the period of stayed suspension and applying a standard 1.4(c)(ii) to the stayed suspension, correctly pointing out that it is unnecessary to include the standard to the stayed suspension since it can be added as a result of a probation violation proceeding even if it was not part of the original stayed suspension. (*In the Matter of Luis* (Review Dept., Dec. 10, 2004) __ Cal. State Bar Ct. Rptr. __ [2004 WL 2862369].) Respondent does not oppose making reasonable monthly payments towards restitution and including

1 the restitution owed to Mr. Washington in the recommendation.

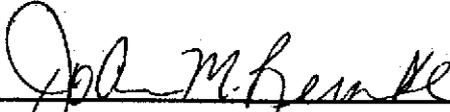
2 The court finds no good cause to increase the period of stayed suspension, to include a
3 standard 1.4(c)(ii) condition to the stayed suspension or to require monthly restitution payments,¹
4 and therefore, DENIES the motion as to those requests.

5 However, finding good cause, the court hereby GRANTS that portion of the motion to add
6 a restitution payment to Mr. Washington and hereby ORDERS that the court's December 7, 2004
7 decision is modified as follows:

8 On page 36, in paragraph 1, at lines 12-13, the language "and provide satisfactory
9 proof thereof to the Office of Probation during the period of probation" is deleted,
10 and the following language is inserted in its place: "and to Anthony E. Washington
11 (or the Client Security Fund, if it has already paid) in the amount of \$143.75 plus ten
12 percent interest per annum accruing from September 9, 1997, and provides
13 satisfactory proof thereof to the Office of Probation"

14 **IT IS SO ORDERED.**

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17 Dated: January 28, 2005



JOANN M. REMKE
Judge of the State Bar Court

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¹Respondent will remain suspended until she fully satisfies all outstanding restitution and interest will continue to accrue on the outstanding amounts owed.

CERTIFICATE OF SERVICE

[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, on January 28, 2005, I deposited a true copy of the following document(s):

ORDER GRANTING, IN PART, AND DENYING, IN PART, THE MOTION FOR RECONSIDERATION

in a sealed envelope for collection and mailing on that date as follows:

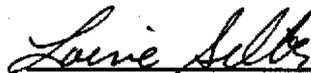
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

**CHARLES MARTIN GRETSCH
ATTORNEY AT LAW
PO BOX 2007
VANCOUVER WA 98668 2007**

- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

ROBIN HAFFNER, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on January 28, 2005.



**Laine Silber
Case Administrator
State Bar Court**